

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 837

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 7-27-82
DATE FOR REVIEW 8-5-82
DATE DUE 8-10-82

Adopted w/a hearing _____
Adopted w/o hearing ✓
Temporary rule _____

Approved 8-10-82 Disapproved _____ Returned to Agency 8-10-82

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State 8-10-82 Revisor approved 7/30/82 disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed See SR

✓ Order Adopting 7.26.82 Date

N/A Notice of Intent to Solicit Outside Opinion

✓ Order for rulemaking
N/A date of Hearing

N/A Certificate of Board's Authorizing Resolution

_____ Notice of rulemaking
_____ Sufficiency

✓ Affidavit of Mailing Notice or rulemaking
6.7.82 At least 30 days prior to ~~hearing~~/adoption

✓ Mailing list Certificate

✓ Publication in State Register
6.7.82 At least 30/~~20~~ days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

_____ Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

_____ Agency's Findings of Fact

_____ LCRAR Report or agency Affidavit

_____ Certificate of Board's Resolution Adopting Rules

✓ Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness

N/A Petition for Adoption of a Rule

N/A Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

N/A Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO: BARBARA L. SUNDQUIST
Commissioner of Employee Relations

DATE: 8/10/82

ATTN: STEVEN GUNN, Spec. Ass't. Atty. Gen.

FROM: LARRY D. STARNS
Special Assistant
Attorney General

PHONE: 297-3493

SUBJECT: In the Matter of the Proposed Adoption of Rules of the State Department of Employee Relations Governing the State Personnel System

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register. This must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

If you have any questions in this regard, please contact me.

LDS:drw
Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

SF-00006-02

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT EMPLOYEE RELATIONS

TO : Warren Spannaus, Attorney General
ATTENTION: Mike Miles, Asst. Attorney General

DATE: July 26, 1982

FROM : Barbara L. Sundquist
Commissioner

Barbara L. Sundquist

PHONE: 296-8366

SUBJECT: Repeal of Personnel Rules

The Department of Employee Relations is in process of repealing rules relating to the state personnel system. These rules are being repealed without a public hearing.

Attached for your review are the following:

1. Rules as Adopted (original and 3 copies)
2. Order Adopting Rules (original and 3 copies)
3. Order for Notice of Intent to Adopt Rules with a Public Hearing
4. Affidavit of Mailing and Notice of Intent to Repeal Rules Without a Public Hearing
5. Mailing List Certificate
6. Copy of Proposed Rules as published in the State Register on June 7, 1982
7. Statement of Need and Reasonableness
8. Statement of Compliance with Rulemaking Procedures

Notice of Submission to the Attorney General is not included as no persons requested notice of submission to the Attorney General.

Please address concerns or questions to Mark L. Sundquist, Training and Development Manager, at 296-8933.

A copy of the Rules as Adopted is being submitted to the Revisor of Statutes this date.

BLS:jb

OFFICE OF THE REVISOR OF STATUTES

Certificate of Approval of Adopted Rules

Agency: Department of Employee Relations

Rule Numbers: See attached Rule.

Rule Title: Adopted Repeal of Rules Regarding the State Personnel System

Type of Rules: Permanent X

Temporary _____

Documents Incorporated by Reference: None

The attached Rules are approved as to form.

APPROVED AS TO LEGALITY
August 10, 1982
WARREN SPANNAUS, ATTORNEY GENERAL
BY _____
SPECIAL ASSISTANT ATTORNEY GENERAL

Steven C. Cross
Revisor of Statutes

Name: John C. Fuller

Title: Assistant Revisor

Phone: 296-0955

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 10 1982
Joan Anderson Growe
Secretary of State
11:05AM

Department of Employee Relations

Adopted Repeal of Rules Regarding the State Personnel System

Rules as Adopted

Repealer. The following rules are repealed: 2 MCAR SS 2.007; 2.008; 2.009; 2.012; 2.016; 2.017; 2.018; 2.019; 2.021; 2.024; 2.028; 2.031; 2.032; 2.033; 2.045; 2.047; 2.048; 2.051; 2.057; 2.058; 2.059; 2.060; 2.062; 2.063; 2.081; 2.082; 2.083; 2.086; 2.087; 2.097; 2.098; 2.099; 2.101; 2.106; 2.107; 2.108; 2.109; 2.110; 2.111; 2.116; 2.117; 2.119; 2.129; 2.130; 2.131; 2.132; 2.133; 2.134; 2.135; 2.136; 2.137; 2.138; 2.139; 2.140; 2.141; 2.142; 2.143; 2.144; 2.145; 2.146; 2.150; 2.151; 2.152; 2.153; 2.155; 2.160; 2.161; 2.162; 2.163; 2.164; 2.166; 2.167; 2.168; 2.170; 2.171; 2.172; 2.175; 2.176; 2.177; 2.178; 2.180; 2.181; 2.189; 2.190; 2.191; 2.192; 2.193; 2.194; 2.195; 2.196; 2.197; 2.203; 2.204; 2.206; 2.207; 2.209; 2.210; 2.211; 2.213; 2.214; 2.216; 2.217; 2.218; 2.219; 2.220; 2.221; 2.223; 2.226; 2.232; 2.234; 2.235; 2.238; 2.240; 2.241 governing original appointment, which was mistakenly renumbered 2 MCAR S 2.244, an already used number, when last filed with the Secretary of State; 2.242; 2.243; 2.244; 2.246; 2.247; 2.248; 2.250; 2.253; 2.254; 2.257; 2.265; 2.266; 2.267; 2.268; 2.269; 2.275; 2.276; 2.277; 2.278; 2.279; 2.280; 2.281; and 2.282.

STATE OF MINNESOTA

DEPARTMENT OF EMPLOYEE RELATIONS

In the Matter of the Proposed Adoption of Rules of the State Department of Employee Relations Governing the State Personnel System

ORDER ADOPTING RULES

Notice of the Commissioner's intent to adopt the above-entitled rules without a public hearing was published in the State Register on June 7, 1982 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes section 5.0412, subdivision 4 on June 7, 1982. After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, receiving fewer than seven written requests for a public hearing within the 30-day comment period, reviewing and considering the comments, and determining the need for and reasonableness of the above-captioned rules.

NOW, THEREFORE, IT IS ORDERED that these rules identified as Personnel Rules are adopted this 26th day of July, 1982, pursuant to authority vested in me by Minnesota Statutes section 43A.04.

STATE OF MINNESOTA

Barbara A. Sundquist

COMMISSIONER OF EMPLOYEE RELATIONS

STATE OF MINNESOTA

DEPARTMENT OF EMPLOYEE RELATIONS

In the Matter of the Proposed Adoption of Rules of the State Department of Employee Relations Governing the State Personnel System

ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT PUBLIC HEARING

IT IS ORDERED this 7th day of June, 1982 that a Notice of Intent to Adopt Rules Without Public Hearing in the above entitled matter be given to all persons who have registered their names with the State Department of Employee Relations for that purpose and be published in the State Register.

STATE OF MINNESOTA

Barbara L. Sundquist

Barbara L. Sundquist
Commmissioner of Employee Relations

In the Matter of the Proposed Adoption
of Rules of the State Department of
Employee Relations
Governing the State Personnel System

AFFIDAVIT OF MAILING

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

I, Jean Brezinski, being first duly sworn deposes and say:

That on the 7th day of June, 1982, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Intent to Adopt Rules Without Public Hearing by depositing in the State of Minnesota Central Mail System for United States mailing at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names by placed on File with the State Department of Employee Relations for the purpose of receiving notice of the proposed adoption of rules by this agency.

Jean Brezinski

Jean Brezinski
Department of Employee Relations

Subscribed and sworn to before me
this 7 day of June, 1982.

Christine F. Goodwill

CHRISTINE F. GOODWILL
NOTARY PUBLIC - MINNESOTA
DAKOTA COUNTY
MY COMMISSION EXPIRES NOV. 18, 1982

Department of Employee Relations

Proposed Repeal of Rules
Regarding the State
Personnel System

NOTICE OF INTENT TO
REPEAL RULES WITHOUT
A PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the State Department of Employee Relations proposes to repeal the above entitled rules without a public hearing. The Commissioner has determined that the proposed repeal of these rules is noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes section 15.0412, subdivision 4h (1980) for repeal of noncontroversial rules.

Persons interested in these rules shall have 30 days to submit comments on proposed repeal of these rules. The list of rules proposed for repeal may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change.

Unless seven or more persons submit written requests for a public hearing on the repealer within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minnesota Statutes section 5.0412, subdivisions 4-4f.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Mark Sundquist
3rd Floor, Space Center Building
444 Lafayette Road
St. Paul, Minnesota 55101
Telephone No. 296-8933

The repeal of these rules is proposed because some of them duplicate statutory language contrary to the requirements of Minnesota Statutes section 15.0412, subdivision 1, section 5 (Supp. 1981). Other rules proposed for repeal are no longer subject to the rulemaking provisions of the administrative procedure act because they do not directly affect the rights of or processes available to the general public. The subject matter of these rules will be incorporated into collective bargaining agreements and plans established pursuant to Minnesota Statutes section 43A.18 (Supp. 1981) or administrative procedures provided for by Minnesota Statutes section 43A.04, subdivision 4 (Supp. 1981).

Additionally, a Statement of Need and Reasonableness has been prepared and is available from Mark Sundquist upon request. That statement describes the need for and reasonableness of repealing these rules.

Upon repeal of the rules without a public hearing, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final list of Rules Repealed will be delivered to the Attorney General for review as to form and legality. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to Mark Sundquist.

Copies of this Notice and the rules proposed for repeal are available and may be obtained by contacting Mark Sundquist.

Barbara L. Sundquist, Commissioner
Department of Employee Relations

Rules as Proposed

Repealer. The following rules are repealed: 2 MCAR SS 2.007; 2.008; 2.009; 2.012; 2.016; 2.017; 2.018; 2.019; 2.021; 2.024; 2.028; 2.031; 2.032; 2.033; 2.045; 2.047; 2.048; 2.051; 2.057; 2.058; 2.059; 2.060; 2.062; 2.063; 2.081; 2.082; 2.083; 2.0[illegible] 2.087; 2.097; 2.098; 2.099; 2.101; 2.106; 2.107; 2.108; 2.109; 2.110; 2.111; 2.116; 2.117; 2.119; 2.129; 2.130; 2.131; 2.132; 2.133; 2.134; 2.135; 2.136; 2.137; 2.138; 2.139; 2.140; 2.141; 2.142; 2.143; 2.144; 2.145; 2.146; 2.150; 2.151; 2.152; 2.153; 2.155; 2.160; 2.161; 2.162; 2.163; 2.164; 2.166; 2.167; 2.168; 2.170; 2.171; 2.172; 2.175; 2.176; 2.177; 2.178; 2.180; 2.181; 2.189; 2.190; 2.191; 2.192; 2.193; 2.194; 2.195; 2.196; 2.197; 2.203; 2.204; 2.206; 2.207; 2.209; 2.210; 2.211; 2.213; 2.214; 2.216; 2.217; 2.218; 2.219; 2.220; 2.221; 2.223; 2.226; 2.232; 2.234; 2.235; 2.238; 2.240; 2.241 governing original appointment, which was mistakenly renumbered 2 MCAR S 2.244 , an already used number, when last filed with the Secretary of State; 2.242; 2.243; 2.244; 2.246; 2.247; 2.248; 2.250; 2.253; 2.254; 2.257; 2.265; 2.266; 2.267; 2.268; 2.269; 2.275; 2.276; 2.277; 2.278; 2.279; 2.280; 2.281; and 2.282.

STATE OF MINESOTA

COUNTY OF RAMSEY

CERTIFICATE

In the Matter of the Proposed Adoption
of Rules of the State Department of
Employee Relations
Governing the State Personnel System

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. # 15.0412, subd. 4, that their names be placed on file with and maintained by the State Department of Employee Relations for the purpose of receiving notice of the proposed adoption of rules by this agency is accurate and complete as of 8:00 A.M., this 7th day of June, 1982.

Mark L Sundquist

Mark L. Sundquist
Department of Employee Relations

Susan P. Robertson
Executive Director, LCRAR
Room 430
State Office Building
St. Paul, MN 55155

Richard C. Buske
Department of Energy, Planning
and Development 480 Cedar St.
St. Paul, MN 55101

Energy Agency
980 American Center Building
150 East Kellogg Blvd.
St. Paul, MN 55101

R. J. Lavell, Deputy Comm.
Department of Veterans Affairs
Veterans Service Bldg.
20 West 12th Street
St. Paul, MN 55155

Linda Sandvig
MN Nurses Association
1821 University Avenue
St. Paul, MN 55104

Council for the Handicapped
Room 208
Metro Square Building
7th & Robert Streets
St. Paul, MN 55101

Kent E. Eklund, Commissioner
Department of Energy, Planning
and Development
101 Capitol Square
550 Cedar Street
St. Paul, MN 55101

Charles Schaffer
Department of Energy, Planning
and Development
480 Cedar Street
St. Paul, MN 55101

Brian R. Isaacson
Mpls. Personnel Department
312 3rd Avenue South
Minneapolis, MN 55415

Bernard L. Brommer
Executive Vice President
Minnesota AFL-CIO
175 Aurora Avenue
St. Paul, MN 55103

Bruce Rowe, Administrator
Community Health Services Board
325 Lake Ave. So., Suite 604
Duluth, MN 55802

Sam Ruhle
Office of Administrative Hearings
400 Summit Bank Bldg.
310 South 4th Avenue
Mpls., MN 55415

F. James Rybak
Department of Economic Security
690 American Center Bldg.
150 E. Kellogg Blvd.
St. Paul, MN 55101

Paul Groschen, Exec. Dir.
MN State Retirement System
529 Jackson Street
St. Paul, MN 55101

Dale G. Swanson
Suite 113, Professional Bldg.
1068 South Lake Street
Forest Lake, MN 55025

Cathy Johnson
Oak Terrace Nursing Home
Minnetonka, MN 55343

Bernard Kaye
Assoc. Supt.-Personnel
807 Northeast Broadway
Minneapolis, MN 55413

Robert F. Rosenthal
Hospital Administrator
2110 East Center Street
Rochester, MN 55901

Peter S. Popovich
Professional Association
314 Minnesota Bldg.
St. Paul, MN 55101

Advocate for the Blind
1821 University Ave., 389S
St. Paul, MN 55104

James P. Doyle, Personnel Mgr.
IBM Corporation
Department 850
Highway 52 & NW 37th Street
Rochester, MN 55901

Martin Garden
Law Offices of Martin Garden
811 LaSalle Court
Minneapolis, MN 55402

James Shipman
Executive Director
Association of MN Counties
2305 Ford Parkway
St. Paul, MN 55116

Int'l. Union of Operating Eng.
Local 34
1043 Midland Bank Building
Minneapolis, MN 55401

Daniel Gustafson
MN State Federation of Labor,
AFL-CIO
175 Aurora Avenue
St. Paul, MN 55103

SAGOC Local 30
AFL-CIO
401 Fifth Street SE
Minneapolis, MN 55414

Janice M. Devens, Director
Human Service Agency
Wright County Courthouse
Buffalo, MN 55313

Executive Secretary
MN Board of Pharmacy
717 Delaware Street SE #351
Minneapolis, MN 55414

Jean Dawson, Editor
Minnesota Government Report
B-12, Press Room
State Capitol Bldg.
St. Paul, MN 55155

Barton Nelson
Department of Finance
114 Administration Bldg.
50 Sherburne Avenue
St. Paul, MN 55155

Robert A. Silvagni
University of Minnesota
200 Shops Building
319 15th Avenue SE
Minneapolis, MN 55455

M.S. Schumacher
Minneapolis Tribune
425 Portland Avenue
Minneapolis, MN 55488

Donn H. Escher
Director of Personnel
Department of Education
7th Floor, Capitol Square Bldg.
550 Cedar Street
St. Paul, MN 55101

Mary Samoszuk, Admin. Assistant
to the Executive Director
Higher Education Coordinating Bd.
Suite 400, Capitol Square
550 Cedar Street
St. Paul, MN 55101

Conrad Fredin
811 First National Bank Bldg.
Duluth, MN 55802

Ellen Schwandt
Services for the Blind
1745 University Avenue
St. Paul, MN 55104

Joanne Peterson, Office Mgr.
MN State Board of Electricity
Griggs Midway Bldg. Room N-191
1821 University Avenue
St. Paul, MN 55104

Government Center Library
C-2359 Government Center
300 South 6th Street
Minneapolis, MN 55487

Executive Secretary
MN Board of Psychology
717 Delaware Street SE #343
Minneapolis, MN 55414

Michael J. Ahren
Law Office
2350 ISD Center
80 South Eighth Street
Minneapolis, MN 55402

Thomas H. Polt
Law Offices
McCarthy Building
Eyota, MN 55934

President
Interstate Power Company
1000 Main Street
Dubuque, IA 52001

Phillips Legislative Serv. Inc.
459 Rice Street
St. Paul, MN 55103

Lewis Bailey
Business Agent
MAPE
55 Sherburne Avenue
St. Paul, MN 55103

Discretionary List
Repeal of Personnel Rules

Exec. Secretary
Investment Board
105 MEA Bldg.
IO

Personnel Director
Dept. of Labor & Industry
5th Fl., Space Ctr. Bldg.
IO

Director
Mediation Services
205 Aurora Avenue
IO

Executive Secretary
Bd. of Medical Exam
717 Delaware St. S.E.
IO

Dep. Legislative Auditor
Legislative Audit Comm.
1st Fl., Vets Service Bldg.
IO

Legislative Ref. Lib.
Rm. 111, St. Capitol Bldg.
IO

Exec. Director
MN. Wisc. Boundary Area Co
619 2nd Street
Hudson, Wisconsin 54016

Asst. Exec. Secretary
Municipal Board
Rm. 165, Metro Sq. Bldg.
IO

Exec. Secretary
Mn. Bd. of Nursing
717 Delaware St. S.E.
IO

Ombudsman For Corr.
Rm. 101, Nalpak Bldg.
333 Sibley
IO

Secretary, Bd. of Pharmacy
Rm. 351
717 Delaware St. S.E.
IO

Secretary
Podiatry Examiners
717 Delaware S.E.
IO

Public Defender Director
95 Law
229 19th Avenue South
University of Minnesota
Minneapolis, MN 55455

Exec. Secretary
Public Emp. Retirement
203 Capitol Sq. Bldg.
IO

Personnel Officer
Dept. of Public Serv.
7th Fl., Amer. Ctr. Bldg.
IO

Pers. Officer 4
Dept. of Public Welfare
4th Fl., Cent. Bldg.
IO

Revisor of Statutes
Room 3
State Capitol
IO

Administrative Officer
Secretary of State Office
180 State Office Bldg.
IO

Administrative Assistant
Southern Mn. River Basin
600 Amer. Ctr. Bldg.
150 E. Kellogg
IO

Personnel Director
Energy, Plg. & Development
101 Capitol Sq. Bldg.
IO

Supreme Court
Administrative Assistant
Rm. 317, State Capitol
IO

Assistant Administrator
Tax Court, 5th Fl.
Space Center Bldg.
IO

Personnel Office
Veterans Affairs
1st Fl., Vets Serv. Bldg.
IO

Personnel Services Manager
Attorney General
102 State Capitol
IO

Law Library
Room 101
117 University Ave.
IO

Mary Hess
Iron Range Resources
Rehabilitation Board
Box 678
Eveleth, MN 55734

Personnel Officer
Office Lieutenant Governor
Room 122
State Capitol Bldg.
IO

Executive Secretary
Animal Health Board
LL-70 Metro Square
IO

Comptroller
Dept. of Military Aff.
4th Fl., Vets Service Bldg.
IO

Chief Administrator
Metro Transit Comm.
801 Am. Ctr. Bldg.
160 E. Kellogg Blvd.
IO

Personnel Officer
Dept. of Public Safety
210 Transportation Bldg.
IO

Executive Director
Soil & Water Conservation Bd.
Room 300, Centennial Bldg.
IO

Executive Secretary
Teachers Retirement Assoc.
Room 302, Capitol Sq. Bldg.
IO

Personnel Office
Minnesota Zoological Gardens
12101 Johnny Cake Ridge
IO

Assistant Superintendent
MCF-Sauk Centre
Box C
Sauk Centre, MN 56378

Personnel Officer
MCF-Red Wing
Box 45
Red Wing, MN 55066

Personnel Officer
Public Utilities Commission
780 American Center Bldg.
IO

Executive Secretary
Public Employment
Relations Board
Rm. 598, Space Ctr. Bldg.
IO

Personnel Officer
Senate Office
Room 231, State Capitol
IO

Executive Director
M.E.C.C.
2520 Broadway Drive
IO

Personnel Officer
Dept. of Transportation
315 Transportation Bldg.
IO

Executive Director
Spanish Speaking Council
504 Rice Street
IO

Personnel Officer
MCF-Stillwater
Box 55
Stillwater, MN 55082

Superintendent
Willow River Camp
Willow River, MN 55795

Personnel Officer
Dept of Natural Resources
3rd Fl., Centennial Bldg.
IO

Personnel Officer
Pollution Control Agency
1935 W. County Road B-2
IO

Executive Director
Mn. State Retirement System
529 Jackson Street
IO

Personnel Office
State Treasurer
303 Administration Bldg.
IO

Director
Water Planning Board
Room 600
American Center Bldg.
IO

Personnel Officer
MCF-Shakopee
Box 7
Shakopee, MN 55379

Personnel Officer
Minnesota Correctional
Facility - St. Cloud
Box B
St. Cloud, Minnesota 56301

Personnel Officer
Ah Gwah Ching Nursing Home
Ah Gwah Ching, MN 56430

Executive Director
Board of Nursing Home Admin.
717 Delaware St. S.E.
IO

Administration Director
Lawyer's Prof. Resp. Bd.
4th Fl., Space Ctr. Bldg.
IO

Personnel Officer
Dept. of Revenue
Centennial Office Bldg.
IO

Personnel Officer
State University Systems
407 Capitol Square Bldg.
IO

Executive Secretary
Water Resources Board
Room 206
555 Wabasha
IO

Gerry Benting
Assistant Commissioner
Dept. of Finance
309 Administration Bldg.
IO

Superintendent
Thistledew Forestry Camp
Box W-10, Star Route
Togo, Minnesota 55788

Personnel Officer
Anoka State Hospital
Anoka, MN 55303

Personnel Officer
Brainerd State Hospital
Box 349, Hwy 18 & 25
Brainerd, MN 56401

Personnel Officer
Cambridge State Hospital
Cambridge, MN 55008

Personnel Officer
Faribault State Hospital
Faribault, MN 55021

Personnel Officer
Fergus Falls State Hospital
Box 157
Fergus Falls, MN 56537

Personnel Officer
Oak Terrace Nursing Home
County Road 67
Minnetonka, MN 55343

Personnel Officer
Moose Lake State Hospital
Box B
Moose Lake, MN 55767

Personnel Officer
Rochester State Hospital
2110 E. Center St.
Rochester, MN 55901

Personnel Officer
St. Peter State Hospital
100 Freeman Drive
St. Peter, MN 56082

Personnel Officer
Willmar State Hospital
Box 1128
Willmar, MN 56201

Personnel Officer
Bemidji State University
14th & Birchmont Drive
Bemidji, MN 56601

Personnel Officer
Mankato State University
South Road & Ellis Ave.
Mankato, MN 56001

Personnel Officer
Moorhead State University
1104 7th Ave. So.
Moorhead, MN 56560

Personnel Officer
Southwest State University
North Highway 23
Marshall, MN 56258

Personnel Officer
St. Cloud State University
1st Ave. & 7th Street
St. Cloud, MN 56301

Personnel Officer
Winona State University
8th & Johnson Street
Winona, MN 55987

Personnel Officer
Metro State University
Room 121, Metro Sq. Bldg.
IO

Personnel Officer
Dept. of Administration
2nd Fl., Admin. Bldg.
IO

Personnel Officer
Dept. of Agriculture
90 W. Plato Blvd.
IO

Executive Director
State Board of Assessors
2nd Fl., Centennial Bldg.
IO

Executive Director
Board of Judicial Standards
Room 202, 200 So. Robert
IO

Secretary
Board of Chiropractic
Room 336, 717 Delaware S.E.
IO

Personnel Officer
Board of Dentistry, Room 338
717 Deleware Street S.E.
IO

Board of Law Examiners
Room 200A
200 So. Robert
IO

CETA
Economic Security
390 North Robert
IO

Secretary
Board of Optometry
Room 342, 717 Delaware S.E.
IO

Executive Director
Board of Psychology
Rm. 343, 717 Delaware S.E.
IO

Executive Secretary
Capitol Area
Planning Commission
400 State Office Bldg.
IO

Personnel Director
Dept. of Commerce (5)
5th Fl., Metro Sq. Bldg.
IO

Personnel Officer
Community College Board
301 Capitol Square Bldg.
IO

Personnel Director
Dept. of Corrections
430 Metro Square Bldg.
IO

Executive Director
County Attorneys Council
40 North Milton St.
IO

Personnel Officer
Energy, Plg. & Development
Room 980, Am. Ctr. Bldg.
IO

Personnel Officer
Dept. of Econmic Security
390 No. Robert
IO

Personnel Officer
Dept. of Education
7th Fl., Capitol Sq. Bldg.
IO

Executive Director
Ethical Practices Board
41 State Office Bldg.
IO

Gillette Childrens Hospital
200 E. University Avenue
St. Paul, MN 55104

Personnel Director
Dept. of Finance
309 St. Administration Bldg.
IO

Office of the Governor (2)
Albert H. Quie
130 State Capitol
IO

Assistant Director
Council on Handicapped
208 Metro Square Bldg.
IO

Personnel Officer
Dept. of Health
717 Delaware St. S.E.
IO

Administrative Officer
Office of Admin. Hearings
310 4th Ave. So.
400 Summit Bank Bldg.
Minneapolis, MN 55415

Personnel Officer
Higher Education Coord. Board
400 Capitol Square Bldg.
IO

Executive Director
MN Higher Educ. Fac. Auth.
Rm. 278, Metro Sq. Bldg.
IO

Personnel Officer
MN Housing Finance Ag.
Suite 200, Nalpak Bldg.
IO

House of Representatives
Chief Clerk
Room 111, State Capitol
IO

President
Humane Society
500 Rice Street
IO

Deputy Commissioner
Dept. of Human Rights
5th Fl., Bremer Tower
7th Place and Minnesota
IO

Pat Gaarder
MN Historical Society
1500 Mississippi Street
IO

Administrative Assistant
Indian Aff. Inter. Trib. Bd.
360 N. Griggs Midway Bldg.
IC

Personnel Officer
President's Office
Worthington Comm. College
Worthington, MN. 56187

Veterans Home - Personnel
1200 18th Street
Hastings, MN 55033

Veterans Home - Personnel
51st St. & Minnehaha
Minneapolis, MN 55417

House Finance Office
Room 10, State Capitol
IO

Joint Legislative Commission
% House Finance Office
Room 10, State Capitol
IO

Director of Systems &
Procedures
Dept. of Finance
Room 309, Admin. Bldg.
IO

Waste Management Board
7323 58th Avenue North
123 Thorson Bldg.
IO

Coun on Black Minnesotans
504 Rice Street
IO

MCF-Oak Park Heights
Box 10
Stillwater, MN 55082

Worker's Compensation
Court of Appeals
Room 212 MEA Bldg.
IO

Board of Veterinary Medicine
Executive Secretary
Rm. 337, 717 Delaware S.E.
IO

Personnel Officer
State Auditor's Office
Suite 400
555 Park Street
IO

Director
Central Payroll Finance
1st Fl., Centennial Bldg.
IO

Personnel Officer
Board of Electricity
Griggs Midway Bldg Rm N-191
1821 University Ave.
IO

Personnel Office
Dept. of Transportation
1123 Mesaba Ave.
Duluth, MN 55801

Personnel Office
Dept. of Transportation
Box 959 Hoover Road
Virginia, MN 55792

Personnel Office
Dept. of Transportation
3725 12th Ave. North
Box 370
St. Cloud, MN 56301

Personnel Office
Dept. of Transportation
Box 6177
Trunk Highway 52 North
Rochester, MN 55901

Personnel Office
Dept. of Transportation
2505 25th St. N.E.
Willmar, MN 56201

Personnel Office
Dept. of Transportation
Box 727
Washington & 4th St. So.
Bemidji, MN 56601

Personnel Office
Dept. of Transportation
Box 666
1000 Highway 10
Detroit Lakes, MN 56501

Personnel Office
Dept. of Transportation
Box 307
1010 21th Ave. N.W.
Owatonna, MN 55060

Personnel Office
Dept. of Transportation
Box 29
220 South 6th Street
Marshall, MN 56258

Personnel Office
Dept. of Transportation
Box 617
1301 S. Main Street
Crookston, MN 56716

Personnel Office
Dept. of Transportation
Box 410
2 South Street
Morris, MN 56267

Personnel Office
Dept. of Transportation
501 South Victory Dr.
Mankato, MN 56001

Personnel Office
Dept. of Transportation
3485 Hadley Ave. North
Box 2050
No. St. Paul, MN 55109

Personnel Office
Dept. of Transportation
Box H
301 Laurel Street
Brainerd, MN 56401

Personnel Office
Dept. of Transportation
2055 N. Lilac Drive
Golden Valley, MN 55422

Personnel Office
Dept. of Transportation
Box 427
County Road 26
Windom, MN 56101

Personnel Office
Minnesota State Arts Board
432 Summit Avenue
St. Paul, MN 55102

1.-2. [Unchanged.]

3. Adult supplementary license validity.

a. [Unchanged.]

b. Initial entrance and renewed adult supplementary license. ~~The~~ An initial entrance or a renewed adult supplementary license ~~shall remain~~ is valid for a ~~two-year period~~ five years.

Repealer. 5 MCAR § 1.0791 C.3.c. is repealed.

Department of Employee Relations

Proposed Repeal of Rules Regarding the State Personnel System

Notice of Intent to Repeal Rules without a Public Hearing

Notice is hereby given that the State Department of Employee Relations proposes to repeal the above entitled rules without a public hearing. The commissioner has determined that the proposed repeal of these rules is noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes § 15.0412, subdivision 4h (1980) for repeal of noncontroversial rules.

Persons interested in these rules shall have 30 days to submit comments on proposed repeal of these rules. The list of rules proposed for repeal may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change.

Unless seven or more persons submit written requests for a public hearing on the repealer within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minnesota Statutes § 5.0412, subdivisions 4-4f.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Mark Sundquist
3rd Floor, Space Center Building
444 Lafayette Road
St. Paul, Minnesota 55101
Telephone No. 296-8933

The repeal of these rules is proposed because some of them duplicate statutory language contrary to the requirements of Minnesota Statutes § 15.0412, subdivision 1, section 5 (Supp. 1981). Other rules proposed for repeal are no longer subject to the rulemaking provisions of the administrative procedure act because they do not directly affect the rights of or processes available to the general public. The subject matter of these rules will be incorporated into collective bargaining agreements and plans established pursuant to Minnesota Statutes § 43A.18 (Supp. 1981) or administrative procedures provided for by Minnesota Statutes § 43A.04, subdivision 4 (Supp. 1981).

Additionally, a statement of need and reasonableness has been prepared and is available from Mark Sundquist upon request. That statement describes the need for and reasonableness of repealing these rules.

Upon repeal of the rules without a public hearing, this notice, the statement of need and reasonableness, all written comments received, and the final list of rules repealed will be delivered to the Attorney General for review as to form and legality. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to Mark Sundquist.

Copies of this notice and the rules proposed for repeal are available and may be obtained by contacting Mark Sundquist.

Rules as Proposed

Repealer. The following rules are repealed: 2 MCAR §§ 2.007; 2.008; 2.009; 2.012; 2.016; 2.017; 2.018; 2.019; 2.021; 2.024; 2.028; 2.031; 2.032; 2.033; 2.045; 2.047; 2.048; 2.051; 2.057; 2.058; 2.059; 2.060; 2.062; 2.063; 2.081; 2.082; 2.083; 2.086; 2.087; 2.097; 2.098; 2.099; 2.101; 2.106; 2.107; 2.108; 2.109; 2.110; 2.111; 2.116; 2.117; 2.119; 2.129; 2.130; 2.131; 2.132; 2.133; 2.134; 2.135; 2.136; 2.137; 1.138; 2.139; 2.140; 2.141; 2.142; 2.143; 1.144; 2.145; 2.146; 2.150; 2.151; 2.152; 2.153; 2.155; 2.160; 2.161; 2.162; 2.163; 2.164; 2.166; 2.167; 2.168; 2.170; 2.171; 2.172; 2.175; 2.176; 2.177; 2.178; 2.180; 2.181; 2.189; 2.190; 2.191; 2.192; 2.193; 2.194; 2.195; 2.196; 2.197; 2.203; 2.204; 2.206; 2.207; 2.209; 2.210; 2.211; 2.213; 2.214; 2.216; 2.217; 2.218; 2.219; 2.220; 2.221; 2.223; 2.226; 2.232; 2.234; 2.235; 2.238; 2.240; 2.241 governing original appointment, which was mistakenly renumbered 2 MCAR § 2.244, an already used number, when last filed with the Secretary of State; 2.242; 2.243; 2.244; 2.246; 2.247; 2.248; 2.250; 2.253; 2.254; 2.257; 2.265; 2.266; 2.267; 2.268; 2.269; 2.275; 2.276; 2.277; 2.278; 2.279; 2.280; 2.281; and 2.282.

STATE OF MINNESOTA
DEPARTMENT OF EMPLOYEE RELATIONS

IN THE MATTER OF THE PROPOSED
DELETION OF RULES GOVERNING
THE STATE PERSONNEL SYSTEM

STATEMENT OF NEED
AND REASONABLENESS

Laws of 1981, Chapter 210 repealed the previous civil service law covering state employees, Minn. Stat. ch. 43, and replaced it with a new civil service law, Minn. Stat. ch. 43A (Supp. 1981). Chapter 43A and subsequent amendments to it in Laws of 1982, Chapter 560 greatly altered the need and justification for personnel rules.

Minn. Stat. § 43A.04, Subd. 3 (Supp. 1981) states that "The commissioner shall promulgate rules pursuant to the administrative procedures act to implement the provisions of Chapter 43A which directly affect the rights of or processes available to the general public." Content areas that deal with current state employees or internal management of the state system must be covered in collective bargaining agreements and plans established pursuant to Minn. Stat. § 43A.18 (Supp. 1981) or administrative procedures authorized in Minn. Stat. § 43A.04, Subd. 4 (Supp. 1981). The following rules are being repealed because the content areas are required subjects for collective bargaining agreements, plans and administrative procedures, and do not "directly affect the rights of or processes available to the general public."

2.012	CES
2.016	Adopt Classification Plan
2.017	Amendments of the Class Plan
2.018	Allocation of Positions
2.019	Reclass of Positions
2.021	Delegate Class Authority
2.024	WOOC
2.028	Wage & Salary Plan
2.031	Reallocation Back Pay
2.032	Severance Pay
2.033	Deleg. - Comp. Authority
2.045	Deleg. of Authority - Dev./Conduct exams
2.051	Exams - Returning Veterans
2.057	Deleg. of Authority - Est. Lists
2.058	Layoff Lists
2.059	Agency Promotional Lists
2.060	Statewide Promotional Lists
2.081	Request for New Employees
2.083	Delegation of Authority - Cert.
2.086	Temporary Appointment
2.087	Emergency Appointment
2.097	Duration of Probationary Period
2.098	Probationary Service Ratings
2.099	Demotions During Probation
2.101	Permanent Employment
2.106	Retirement
2.107	Resignation
2.108	Suspension
2.109	Layoff
2.110	Demotion
2.111	Dismissal

2.116	Reinstatement
2.117	Reinstatement from LOA
2.119	Restoration of Seniority
2.129	Hours of Work
2.130	Overtime
2.131	Holidays
2.132	A.W.O.L.
2.133	Workers Compensation
2.134	LOA With Pay
2.135	Vacation Leave
2.136	Sick Leave
2.137	Military LOA With Pay
2.138	Other LOA's With Pay
2.141	Maternity/Paternity LOA's
2.142	Vacation Accrual-Reinst./Reemp.
2.143	Sick Leave Without Pay
2.144	Other LOA's Without Pay
2.145	Cancellation of LOA
2.146	Managerial Benefits
2.150	Performance Appraisal Guidelines
2.151	Performance Appraisals During Probationary Period
2.152	Record of Performance Appraisals
2.153	Performance Appraisal Procedures
2.155	Availability of Performance Appraisal Report
2.160	The Development Policy
2.161	Training Standards
2.162	Department Plans and Reports
2.163	Approval of Management Programs
2.164	Supervisory Training Requirements
2.166	Mandatory Training
2.167	Career Training Programs
2.168	Reimbursement of Training Expenses to the State
2.171	Career Paths
2.172	Certification in Occupational Categories
2.175	Grievance Procedure
2.176	Objectives and Definitions
2.178	Time Limits
2.180	Travel & Reloc. Exp. Authority
2.181	Expense Allowances
2.189	Payroll Certification
2.190	Report Personnel Changes
2.191	Delegation of Authority - DOER
2.193	Political Activity
2.204	Agency Promotional
2.211	Continuous Service
2.213	Day
2.214	Demotion
2.223	Full-time Employee
2.234	Managerial
2.240	Organization Unit
2.242	Overtime
2.243	Part-time Employee
2.244	Original Appointment
2.250	Promotion
2.257	Statewide Promotional List
2.268	Work Assignment
2.269	Working Day

Minn. Stat. ch. 43A (Supp. 1981) and Laws of 1982, Chapter 560 enacted as law the language of certain existing personnel rules. The following rules are no longer needed and are repealed because they now duplicate new statutory language:

2.007	Unclassified Service
2.008	Classified Service
2.009	Labor Service
2.047	Veteran's Preference
2.048	Order of Names on List
2.062	Open Competitive
2.063	Use of Lists - Unclassified Serv.
2.082	Methods of Filling Vacancy
2.139	Military LOA Without Pay
2.140	LOA - Unclassified Service
2.170	Human Resource Planning
2.177	Presentation of Grievances
2.192	Access to Personnel Files
2.194	Compliance With Law
2.195	Violations/Penalties
2.196	Coop. With Other Agencies, etc.
2.197	Persl. Serv. to Political Subds.
2.203	Agency
2.206	Allocation
2.207	Appointing Authority
2.209	Class
2.210	Commissioner
2.216	Disabled Veteran
2.217	Disabled Veteran's Preference
2.218	Eligible
2.219	Eligible List
2.220	Emergency Employee
2.221	Exclusive Representative
2.226	Intermittent Employee
2.232	Layoff List
2.235	Military Leave
2.238	Open Competitive List
2.244	Permanent Employee
2.246	Position
2.247	Probationary Employee
2.248	Probationary Period
2.253	Reclassification
2.254	Reemployment List
2.265	Unlimited Employee
2.266	Veteran
2.267	Veteran's Preference
2.275	Statement of Purpose
2.276	Definitions
2.277	Acceptance of Gifts or Favors
2.278	Use of Confidential Information
2.279	Use of State Property
2.280	Conflicts of Interest
2.281	Disciplinary Action
2.282	Copy to Employees

In the Matter of the Proposed Adoptions of Rules of the State Department of Employee Relations Governing the State Personnel System

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, Steven Gunn, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Steven M. Gunn
(Special Assistant)
Attorney General

Dated: 7/21/82